

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**LAWRENCE M. SMITH, and UNITED
STATES OF AMERICA, *ex rel***

Plaintiffs,

v.

DEION L. SANDERS, *Individually*, ET AL.,

Defendants.

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Civil Action No. 3:12-CV-4377-M

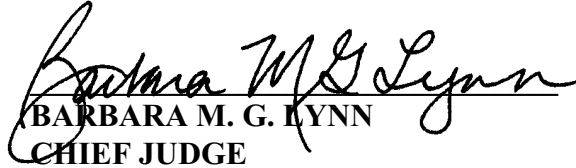
**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (which were signed on January 30, 2017, but are misdated January 30, 2016) and conducting a *de novo* review of those parts of the Findings and Conclusions to which objections have been made, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

The *Motion to Dismiss for Failure to State a Claim Upon Which Relief May Be Granted Filed By Defendants Charity Church and Fredrick Mays*, filed August 10, 2016 (doc. 184), and the *Motion to Dismiss for Failure to State a Claim Upon Which Relief May Be Granted Filed by Defendants Damien LaMarc Wallace and Chazma Jones*, filed August 10, 2016 (doc. 186) are **GRANTED**. The claims against Pastor Frederic R. Mays, Damien LaMarc Wallace, and Chazma Jones for presenting a false claim and conspiring to submit a false claim in relation to the charter

school and grant applications are **DISMISSED WITH PREJUDICE**. By separate judgment, Relator's claims against Charity Church will be **DISMISSED WITH PREJUDICE**.¹

SIGNED this 21st day of March, 2017.


BARBARA M. G. LYNN
CHIEF JUDGE

¹ All claims related to Charity Church in Relator's *Third Amended Original Complaint* (doc. 89) regarding the summer school lunch program, which was consolidated with his separate suit regarding a charter school application and start-up grants (doc. 122), were previously dismissed (docs. 132, 134-35), so no further claims remain against this defendant. It is not clear whether the claims against Damien LaMarc Wallace, Pastor Frederic R. Mays, and Chazma Jones in the *Third Amended Original Complaint* (doc. 89) remain pending. Those claims were deleted from the only complaint filed after the consolidation, i.e., *Second Amended Complaint* (doc. 172), which superseded the *Third Amended Original Complaint* (doc. 89), but the *Second Amended Complaint* (doc. 172) only relates to the charter school application and start-up grants.